

REMARKS

Claims 5, 8, 15, 20, 24, 30, 40, and 46 were previously withdrawn and claims 6-7, 9-14, 16-19, 21-23, and 25-28 were previously cancelled in response to Restriction Requirements. Accordingly claims 1-5, 8, 15, 20, 24, and 29-50 were pending in this application when the present Office Action was mailed with claims 5, 8, 15, 20, 24, 30, 40, and 46 withdrawn. Withdrawn claims 8, 15, 20, and 24 have been cancelled before being examined on their merits. Claims 39 and 45 have also been cancelled. The foregoing claims have been canceled to expedite prosecution, without any concession to any characterizations made regarding these claims, and without prejudice to pursuing these claims in a divisional, continuation, or other application. Claims 30, 40-44, and 46-50 have been amended. Accordingly, claims 1-5, 29-38, 40-44, and 46-50 are currently pending in this application.

In the present Office Action dated January 11, 2005, claims 1-4 were allowed; claims 8, 15, 20, 24, 30, 31, 36, and 47 were objected to; and claims 29, 32-35, 37-45, and 48-50 were rejected. More specifically, the status of the application in light of this Office Action is as follows:

(A) Claims 8, 15, 20, and 24 were objected to for depending from cancelled claims.

(B) Claim 30 was objected to because, if not withdrawn, it would be rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

(C) Claim 29 was rejected under 35 U.S.C. §112, second paragraph, for insufficient antecedent basis.

(D) Claims 29, 32-35, 37-39, 42-45, and 48-50 were rejected under 35 U.S.C. § 102(b) as being anticipated by EP Patent Application No. EP 0 103 038 A1 to Statkus ("Statkus").

(E) Claims 29, 32-35, 37-45, and 48-50 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,729,528 to Borzachillo ("Borzachillo").

(F) Claims 31, 36, and 47 were objected to as being dependent upon a rejected claim, but were indicated to be allowable if rewritten in independent form.

(G) Claims 1-4 were allowed.

The undersigned attorney thanks the Examiner for indicating that claims 1-4 are allowed, and that claims 31, 36, and 47 contain allowable subject matter. Although the applicant's attorney agrees with the Examiner's conclusion that these claims are allowable, the applicant's attorney notes that the claims may be allowable for reasons other than those identified by the Examiner and does not concede that the Examiner's characterizations of the terms of the claims and the prior art are correct.

The undersigned attorney also wishes to thank the Examiner for participating in a telephone interview on March 31, 2005. During the interview, as a preliminary matter, the parties discussed the rejection of claim 29 for insufficient antecedent basis. The Examiner informed the applicant's representative that this rejection was entered in error and that no amendment would be required to comply with Section 112, second paragraph. The parties also discussed the Statkus and the Borzachillo references. The parties agreed that the references failed to teach or suggest all of the elements of independent claims 29 and 35. Accordingly, claims 29 and 35 are in condition for allowance. Claims 31-34 and 36-38 depend from claims 29 and 35, respectively. Accordingly, claims 31-34 and 36-38 are also in condition for allowance.

The parties also agreed that dependent claim 41 was allowable if rewritten in independent form. Accordingly, claims 41 and 47 have been rewritten in independent form and are in condition for allowance. Claims 42-44 have been amended to depend from claim 41, and claims 48-50 have been amended to depend from claim 47. Therefore, claims 42-44 and 48-50 are also in condition for allowance.

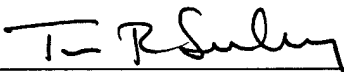
During the interview, the parties agreed to clarifying language to overcome the objection to withdrawn claim 30, and the agreed-to clarifying language has been incorporated into claim 30. Additionally, withdrawn claims 40 and 46 have been amended to depend from claims 41 and 47 respectively. The parties agreed that withdrawn claims 5, 30, 40, and 46 would be rejoined. Because these claims depend

from allowed or allowable claims, claims 5, 30, 40, and 46 are also in condition for allowance. Accordingly, all of the claims now pending in the application (claims 1-5, 29-38, 40-44, and 46-50) are in condition for allowance.

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the cited art. The applicant accordingly requests reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call Tim R. Seeley at (206) 359-6477.

Respectfully submitted,
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Date: 11 April 2005



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